

### **REMARKS**

Claims 1-11 were pending in the application. Claim 1, 4 and 5 have been amended. Claim 3 and 6-11 have been canceled without prejudice or disclaimer. New claims 12 and 13 have been added. Therefore, claims 1, 2, 4, 5, 12 and 13 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

#### **Specification Objections**

The Abstract and paragraphs [0029] and [0062] are objected to for informalities. Paragraphs [0029] and [0062] have been amended where appropriate. A replacement Abstract has been provided and is appended to this document. Reconsideration and withdrawal of the objections is respectfully requested.

#### **Claim Objection**

The Office Action objects to claim 10 for a minor informality. Claim 10 has been canceled and, therefore, the objection is moot.

#### **Claim Rejections**

Claims 1-4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,131,942 ("Fujii") in view of U.S. Patent No. 6,086,092 ("Hill"). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii in view of Hill and further in view of U.S. Patent No. 5,704,639 ("Cundill"). Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii in view of Hill, and further in view of U.S. Patent No. 5,603,526 ("Buchanan"). Claims 3 and 6-11 have been canceled and, therefore, the rejections with respect to these claims are moot. The remaining rejections should be withdrawn for at least the following reasons.

The rejection of claims 1, 2, 4 and 5 should be withdrawn because the Office Action has not established a *prima facie* case of obviousness. Fujii, Hill, Cundill and Buchanan, taken together or separately, do not teach or suggest all of the elements of claim 1. None of the references teach or suggest an airbag apparatus comprising "an airbag having an inner bag

and an outer bag” and, among other things, “a closing mechanism separate from the airbag for maintaining the vent hole closed ... the mechanism including a lid and a holding member configured to hold the lid ... the lid is positioned between the holding member and the retainer inside the outer bag,” as recited in claim 1.

The Office Action states that Fujii discloses an airbag 1 and retainer 33, each having vent holes 10a, 10b, and a closing mechanism. However, Fujii’s closing mechanism referred to in the Office Action merely refers to layers in the airbag fabric. *See* Fujii at col. 4, lines 19-32. The rear panel 20 can be made of a plurality of fabrics, in which some of the fabric layers include the gas outlets 10a and other fabric layers appear to not have gas outlets. *See* Fujii at col. 4, lines 26-32. When the pressure increases inside the airbag 1, the fabric layers without gas outlets can break, allowing for gas to escape through the retainer 33. Fujii’s airbag panel fabric is not a “closing mechanism that is *separate* from the airbag,” nor is the airbag panel fabric a “lid.” Further, Fujii does not disclose a “holding member configured to hold the lid.” To the contrary, Fujii merely discloses a ring 4 to fix the airbag 1 to the retainer 33.

Hill does not cure the deficiencies of Fujii. Hill merely discloses an airbag 10 with an inner bag 30 and an outer bag 40. Hill does not disclose a vent hole in the outer bag nor a closing mechanism. Cundill fails to cure the deficiencies of Fujii. Cundill merely discloses an airbag 12 with a ventilation mechanism 45. The ventilation mechanism 45 does not include a holding member or a lid that is “positioned between the holding member and the retainer inside the outer bag.” Buchanan also fails to cure the deficiencies of Fujii. Buchanan merely discloses an airbag 14 with a covering 20 for a vent opening 18. Buchanan does not teach or suggest a holding member or a lid that is “positioned between the holding member and the retainer inside the outer bag.” Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2, 4, 5 and new claims 12 and 13 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in these dependent claims.

Conclusion


Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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